

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

TWD Corporation, an Arizona corporation  
f/k/a Tiros Corporation, an Arizona  
corporation,

Plaintiff,

v.

SPX Corporation, a Delaware corporation,

Defendant.

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Civil Action No.: 05-263

**NOTICE OF DISMISSAL PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 41(a)**

On May 3, 2005, Plaintiff TWD Corporation filed its Complaint in the above-captioned action. Defendant has not answered or otherwise moved regarding that Complaint.

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff TWD Corporation hereby dismisses this action with prejudice.

/s/ William M. Kelleher

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*Of counsel*

**NOTICE OF SERVICE**

PLEASE TAKE NOTICE that on the 5th of July, 2005, I caused two true and correct copies of the foregoing Notice of Dismissal Pursuant to Federal Rule of Civil Procedure 41(a) to be served upon the following counsel in the manner indicated:

**VIA FIRST CLASS MAIL**

Nancy L. Hendrickson, Esquire  
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Dated: July 5, 2005

/s/ William M. Kelleher  
William M. Kelleher, Esq. (No. 3961)